

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

CHIEFTAIN ROYALTY COMPANY,

Plaintiff,

v.

SM ENERGY COMPANY, et al.,


Defendants.

Case No. CIV-18-1225-J

**ORDER**

Before the Court is Plaintiff's Motion to Strike the Supplemental Expert Reports of Kyle L. Pearson (Dkt. No. 73-1) and Eric R. Krause (Dkt. No. 73-2), and All Portions of Defendant's Surreply in Opposition to Plaintiff's Reply in Further Support of Its Motion for Class Certification (Dkt. No. 73) That Cite, Quote, or Otherwise Rely on the Supplemental Expert Reports (Motion to Strike) [Doc. No. 78]. Defendant SM Energy Company has filed no response. The Court, therefore, DEEMS Plaintiff's Motion to Strike confessed.<sup>1</sup> Accordingly, the Court GRANTS Plaintiff's Motion to Strike [Doc. No. 78]. The supplemental expert reports of Kyle L. Pearson and Eric R. Krause, as well as all portions of Defendant's Surreply in Opposition to Plaintiff's Reply in Further Support of Its Motion for Class Certification that cite, quote, or otherwise rely on the supplemental expert reports, are hereby STRICKEN.

IT IS SO ORDERED this 13<sup>th</sup> day of November, 2020.

  
BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup> "Any motion that is not opposed within 21 days may, in the discretion of the court, be deemed confessed." LCvR 7.1(g).